

AMENDED IN SENATE AUGUST 16, 2006

AMENDED IN ASSEMBLY MAY 15, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 2401

Introduced by Assembly Member Karnette
(Coauthor: Senator Lowenthal)

February 23, 2006

An act to ~~amend Section 21100.5 of, and to add Section 167 to, add Sections 175 and 4000.5 to the Vehicle Code, relating to vehicles.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 2401, as amended, Karnette. Vehicles: autoettes.

(1) Existing law requires operating motor vehicles to be registered by the Department of Motor Vehicles. ~~Existing law authorizes a city located on a natural island that meets specified requirements to adopt an ordinance or a resolution regulating the size and noise limits and classes of vehicles used on streets under their jurisdiction. Existing law makes it a crime to violate any provision of the Vehicle Code.~~

~~This bill would authorize that city, by ordinance or resolution, to list motor vehicles meeting specified requirements as autoettes, as defined, and would require the department to register autoettes as motor vehicles. The bill would limit the operation of the autoette to the streets and highways of the natural island and would require the owner of the autoette to remove the license plates from the vehicle and return them to the department if the vehicle is removed from the island.~~

This bill would require the department to register autoettes, as defined, as motor vehicles. The bill would also require the owner of

the autoette to remove the license plates from the vehicle and return them to the department if the vehicle is removed from a natural island, as described.

Because the failure to remove the license plates would create a new crime, this bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: ~~no~~-yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 175 is added to the Vehicle Code, to
2 read:

3 175. An “autoette” is a motor vehicle, located on a natural
4 island with an area in excess of 20,000 acres and that is within a
5 county having a population in excess of 4,000,000, that meets all
6 of the following requirements:

7 (a) Has three or more wheels in contact with the ground.

8 (b) Has an unladed weight of no greater than 1,800 pounds.

9 (c) Has an overall length of no more than 120 inches,
10 including the front and rear bumpers.

11 (d) Has a width of no more than 55 inches, as measured from
12 its widest part.

13 SEC. 2. Section 4000.5 is added to the Vehicle Code, to read:

14 4000.5. (a) The department shall register an autoette, as
15 defined in Section 175, as a motor vehicle.

16 (b) The owner of an autoette shall remove the license plates
17 from the vehicle and return them to the department when the
18 autoette is removed from a natural island, as described in
19 Section 175.

20 SEC. 3. No reimbursement is required by this act pursuant to
21 Section 6 of Article XIII B of the California Constitution because
22 the only costs that may be incurred by a local agency or school
23 district will be incurred because this act creates a new crime or
24 infraction, eliminates a crime or infraction, or changes the

1 *penalty for a crime or infraction, within the meaning of Section*
2 *17556 of the Government Code, or changes the definition of a*
3 *crime within the meaning of Section 6 of Article XIII B of the*
4 *California Constitution.*

5 ~~SECTION 1. Section 167 is added to the Vehicle Code, to~~
6 ~~read:~~

7 ~~167. “Autoette” is a motor vehicle that is listed in an~~
8 ~~ordinance or resolution adopted pursuant to Section 21100.5.~~

9 ~~SEC. 2. Section 21100.5 of the Vehicle Code is amended to~~
10 ~~read:~~

11 ~~21100.5. (a) Notwithstanding any other provision of law, the~~
12 ~~local authority of a city that is on a natural island with an area in~~
13 ~~excess of 20,000 acres and that is within a county having a~~
14 ~~population in excess of 4,000,000, may, if they determine rules~~
15 ~~and regulations to be necessary in view of the special problem~~
16 ~~existing thereon with respect to the size and nature of the streets~~
17 ~~of the city and with respect to the characteristics and nature of~~
18 ~~the city itself, adopt rules and regulations by ordinance or~~
19 ~~resolution on the following matters:~~

20 ~~(1) Regulating the size of vehicles used on streets under their~~
21 ~~jurisdiction.~~

22 ~~(2) Regulating the number of vehicles permitted on streets~~
23 ~~under their jurisdiction.~~

24 ~~(3) Prohibiting the operation, on streets under their~~
25 ~~jurisdiction, of designated classes of vehicles.~~

26 ~~(4) Establishing noise limits that are different from those~~
27 ~~prescribed by this code, for vehicles operated on streets under~~
28 ~~their jurisdiction and prohibiting the operation of vehicles which~~
29 ~~exceed the limits.~~

30 ~~(5) Establishing a maximum speed limit lower than that which~~
31 ~~the local authority is otherwise permitted by this code to~~
32 ~~establish.~~

33 ~~(6) Listing motor vehicles that are autoettes.~~

34 ~~(b) An “autoette” is a vehicle that meets the standards~~
35 ~~established pursuant to paragraphs (1), (3), and (4) of subdivision~~
36 ~~(a).~~

37 ~~(c) (1) The department shall register, as a motor vehicle, a~~
38 ~~motor vehicle that is listed as an “autoette” in an ordinance or~~
39 ~~resolution adopted pursuant to subdivision (a).~~

1 ~~(2) The operation of a motor vehicle registered by the~~
2 ~~department pursuant to paragraph (1) shall be limited to the~~
3 ~~streets and highways on the natural island described in~~
4 ~~subdivision (a). If the motor vehicle is removed from the island,~~
5 ~~the owner of the vehicle shall remove the license plates from the~~
6 ~~motor vehicle and return them to the department.~~
7 ~~(d) This section shall not apply to vehicles of utilities which~~
8 ~~are under the jurisdiction of the Public Utilities Commission~~
9 ~~while engaged in maintenance and construction type service~~
10 ~~work.~~